IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant	:	Hong Q. Bui
Appl. No.	:	09/457,839
Filed	:	December 9, 1999
For	:	SYSTEM AND METHODS FOR FACILITATING TRANSACTIONS ON, AND PERSONALIZING WEB PAGES OF, THIRD PARTY WEB SITES
Examiner	:	Cristina Sherr
Group Art Unit	:	3621

SECOND APPEAL BRIEF (AMENDED)

Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

This Second Appeal Brief, as amended in response to the Notice of Non-Compliant Appeal brief mailed on October 10, 2006, is being filed in response to the non-final Office Action mailed on October 21, 2005 (hereinafter the "Current Office Action"), which was issued by the Examiner in response to Appellant's original Appeal Brief. By filing this Second Appeal Brief and a Second Notice of Appeal, Appellant is reinstating the original appeal.

As a preliminary matter, Appellant respectfully submits that the following statement on page 2 of the Current Office Action is based on an outdated CFR provision, and does not set forth the proper procedure for reinstating an appeal:

> "To avoid abandonment of the application, appellant must exercise one of the following two options: (1) file a reply under 37 CFR 1.111 ...; or (2) request reinstatement of the appeal. If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief.... See 37 C.F.R. 1.193(b)(2)."

Appellant understands that the current procedure for reinstating an appeal is as summarized by the following statement on the Board of Patent Appeals and Interferences web site: "An applicant can reinstate an appeal by filing a second notice of appeal in compliance with 37 CFR 41.31 and a complete new brief in compliance with 37 CFR 41.37." (BPAI FAQs, comment D3, posted at http://www.uspto.gov/web/offices/dcom/bpai/fr2004/bpaifaq.html).

Accordingly, this Second Appeal Brief is a complete new brief in compliance with 37 CFR 41.37, and is accompanied by a Second Notice of Appeal. Nevertheless, to the extent necessary to avoid abandonment of the application, Appellant hereby requests reinstatement of the appeal.

I. REAL PARTY IN INTEREST

The real party in interest in the present application is Amazon.com, Inc.

II. RELATED APPEALS AND INTERFERENCES

No related appeals, interferences or judicial proceedings are currently pending.

III. STATUS OF CLAIMS

Claims 36-39, 41, 42, 44-52, 60-64 and 66-69, which are attached hereto as an appendix, are currently pending in the application with a status of "rejected," and are the subject of this appeal. All other claims (nos. 1-35, 40, 43, 53-59 and 65) have been canceled.

IV. STATUS OF AMENDMENTS

No amendments have been made to the present application since Appellant filed the original appeal.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present application includes six independent claims. Each independent claim is paraphrased below, with citations to corresponding portions of the specification and drawings as required by 37 C.F.R. § 41.37(c)(1)(v). These citations are provided in order to illustrate specific

examples and embodiments of the recited claim language, and not to limit the claims. Except where indicated otherwise, the reference numbers correspond to components shown in Figure 1.

Claim 36 is directed to a system (100) for providing a server-side wallet service. The system comprises the following:

- a service web site (116) that provides functionality for users (102) to register with the wallet service (114) and to provide customer information and authentication information for use of the wallet service (114), said customer information including payment information for making purchases from merchant web sites (106) that support customer use of the wallet service (114) (see, e.g., page 2, line 30 to page 3, line 24; page 7, lines 6-15; and Fig. 4A); and

- a server system (118) that authenticates registered users (102) of the wallet service (114) and disseminates the customer information of the registered users (102) to the merchant web sites (106) in response to user requests, the server system (118) thereby allowing registered users (102) of the wallet service (114) to make purchases from the merchant web sites (106) using previously-specified customer information (see, e.g., page 3, lines 17-27; page 7, lines 12-15; and page 10, line 8 to page 11, line 3);

- wherein the server system (118) is responsive to a request (Fig. 2B, block 224) to transfer the customer information of a registered user (102) to a selected merchant web site (106) by at least (1) using the authentication information of the registered user (102) to authenticate the registered user (Fig. 2B, block 226), and (2) if the registered user (102) is successfully authenticated, sending customer information of the registered user (see, e.g., Fig. 2B, block 228 and Fig. 3, arrow 312) to the selected merchant web site (106) to permit the merchant web site (106) to transact a sale to the registered user (Fig. 2B, block 230), whereby the system (100) enables the registered user (102) to make a purchase from the selected merchant web site (106) without having a preexisting account with the selected merchant web site (106);

- and wherein the server system (118) maintains a log of purchases made by the registered user (102) from each of a plurality of merchant web sites (106), uses the log to generate an interests profile for the registered user (102), and disseminates the interests profile

(Fig. 3, arrow 312) to the merchant web sites (106) to allow the merchant web sites to provide personalized content to the registered user (see, e.g., page 4, line 26 to page 5, line 3; and page 11, lines 4-24).

Claim 41 is directed to a method of enabling a user (102) to make a purchase from a merchant web site (106) with which the user has not set up an account. The method comprises:

- registering the user (102) with an information service (104), wherein registering the user comprises obtaining a name of the user and payment information of the user, and storing the name and payment information on an information service server (118) (see, e.g., page 3, lines 4-9; Fig. 2A, blocks 210-214; page 9, line 26 to page 10, line 7; Fig. 7A, and page 26, lines 11-22), wherein the information service server (118) belongs to a domain other than a domain of the merchant web site (106) (see page 29, lines 13 to 21);

- storing a cookie on a computer of the user, wherein the cookie corresponds to a domain of the information service server (see page 28, line 28 to page 29, line 15; and Fig. 11A, block 1108);

- providing, in a web page (Fig. 10C) of the merchant web site (106) and in conjunction with a description of a purchasable item, a reference to a graphic (graphic shown as 1010 in Fig. 10C) served by the information service server, such that when a browser running on the computer (110) of the user retrieves the web page, the browser is caused to request the graphic from, and transmit the cookie to, the information service server (118) (see, e.g., Fig. 11A, blocks 1112-118 and page 29, line 22 to page 30, line 6); and

- at the information service server (118), in response to receiving the cookie and a request for the graphic (1010 in Fig. 10C) from the computer (110) of the user, returning to the computer (110) of the user a single-action purchase graphic (1010 in Fig. 10C) indicating that the item may be purchased with a single selection action, said single-action purchase graphic being selectable by the user to purchase the item (see, e.g., page 30, lines 7-16; and Fig. 12, arrow 1218).

Claim 44 is directed to a method of supporting transactions between users and online merchants. The method comprises:

- providing an electronic wallet service (114) that allows users (102) to make purchases from online merchants (104) using previously-specified payment information (see, e.g., page 2, line 30 to page 3, line 24; and page 7, lines 6-15);

- maintaining a purchase history for at least a first user (102) of the wallet service (114), said purchase history representing purchases made by the first user from a plurality of online merchants (104) (see, e.g., page 4, line 26 to page 5, line 1; and page 11, lines 10-15);

- generating an interests profile that reflects said purchases made by the first user from the plurality of online merchants (see, e.g., page 4, line 26 to page 5, line 1; page 11, lines 10-15; and last six lines of the abstract); and

- transmitting the interests profile of the first user (102) to a web site system (108) of at least one online merchant (104) to allow the online merchant (104) to provide personalized web site content to the first user (102) (see, e.g., page 4, line 26 to page 5, line 1; page 11, lines 10-24; and Figure 3, element 312).

Claim 46 is directed to a method of enabling a user (102) to make a purchase from a merchant web site (106) with which the user has not set up an account. See generally page 25, line 8 to page 32, line 31. The method comprises:

- registering the user (102) with an information service (114), wherein registering the user (102) comprises obtaining a name of the user and payment information of the user (see Fig. 7A, and page 26, lines 11-22), and storing the name and payment information on an information service server (118), wherein the information service server (118) belongs to a domain other than a domain of the merchant web site (106) (see page 29, lines 13 to 21);

- storing a cookie on a computer (109) of the user (102), wherein the cookie corresponds to a domain of the information service server (118) (see, e.g., Fig. 11A, block 1108; Fig. 12, element 1208; and page 28, line 31 to page 29, line 21)

- providing, in a web page of the merchant web site (106) and in conjunction with a description of a purchasable item, a reference to a graphic (1010 in Fig. 10C) served by

the information service server (118), such that when a browser running on the computer (109) of the user (102) retrieves the web page, the browser is caused to request the graphic (1010) from, and transmit the cookie to, the information service server (118) (see, e.g., Fig. 11A, blocks 1112-118 and page 29, line 22 to page 30, line 6); and

- at the information service server (118), in response to receiving the cookie and a request for the graphic from the computer (109) of the user (102), returning to the computer (109) of the user a single-action purchase graphic (1010 in Fig. 10C; and event 1218 in Fig. 12) indicating that the item may be purchased with a single selection action, said single-action purchase graphic (1010 in Fig. 10C) being selectable by the user (102) to purchase the item. (see, e.g., page 30, line 7 to page 31, line 9; and Fig. 11B, blocks 1116 and 1118).

Claim 60 is directed to a method of personalizing a web page (Fig. 10C) of a web site (106). The method comprises:

- sending a cookie to a computer (110) of a user (102) for storage thereon, wherein the cookie corresponds to a domain of a server (118) that has access to at least a name of the user, said domain being different from a domain of the web site (106) so that the cookie is not transmitted to the web site (see, e.g., Fig. 11A, block 1108; Fig. 12, element 1208; and page 28, line 31 to page 29, line 21);

- providing, within coding of the web page (Fig. 10C), a reference to a graphic (1010 in Fig. 10C) served by the server (118), such that when a browser retrieves the web page, the browser is caused to request the graphic from the server (118) (see Fig. 11A, blocks 1112 and 1114, and page 29, lines 22-29); and

- when a browser running on the computer (110) of the user retrieves the web page from the web site (106) and sends a resulting request for the graphic to the server (118; request shown as 1214 in Fig. 12), responding to the request by at least: (a) using the cookie transmitted with the request to identify the name of the user, (b) incorporating the name of the user into an image, and (c) returning the image (1010 in Fig. 10C) to the user computer for display within the web page (see, e.g., page 30, lines 7-16; and Fig. 11B, blocks 1116 and 1118).

Independent Claim 67 is directed to a method of personalizing a web page (Fig. 10C) of a web site (106). The method comprises:

- sending a cookie to a computer (110) of a user (102) for storage thereon, wherein the cookie corresponds to a domain of a server (118) that has access to at least a name of the user, said domain being different from a domain of the web site (106) so that the cookie is not transmitted to the web site (106), and wherein the web page includes a reference to an object served by the server, such that when a browser retrieves the web page, the browser is caused to request the object from the server (118) (see, e.g., Fig. 11A, block 1108-114; Fig. 12, elements 1208-1218; and page 28, line 31 to page 29, line 29); and

- when a browser running on the computer (110) of the user retrieves the web page from the web site (106) and sends a resulting request for the graphic to the server (118), responding to the request by at least: (a) using the cookie transmitted with the request to identify the name of the user, (b) incorporating the name of the user into an instance of the object, and (c) returning the instance of the object (1010 in Fig. 10C) to the user computer (110) for display within the web page (see page 30, lines 7-16; and Fig. 11B, blocks 1116 and 1118).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The following grounds for rejection are to be reviewed on appeal:

1.   The rejection of Claims 36-39, 41, 42 and 66 under 35 U.S.C. § 103(a) as being unpatentable over Foster (U.S. Patent No. 6,332,134);

2.   The rejection of Claims 44, 45, and 67-69 under 35 U.S.C. § 103(a) as being unpatentable over Boesch et al. (U.S. Patent No. 6,092,053) in view of Lineman (U.S. Patent No. 6,327,578); and

3.   The rejection of Claims 46-52 and 60-64 under 35 U.S.C. § 103(a) as being unpatentable over Katis (U.S. Patent No. 6,601,761).

Appellant will continue to treat Boesch et al., Foster, Lineman and Katis as prior art for purposes of this appeal, but reserves the right to disqualify one or more of these references as prior art in the future.

VII. ARGUMENT

Each contested ground for rejection is addressed separately below.

1.   **Rejection of Claims 36-39, 41, 42 and 66 under 35 U.S.C. § 103(a) over Foster**

Claims 36-39, 41, 42 and 66 stand rejected on obviousness grounds over Foster (U.S. patent 6,332,134). Foster was filed after the present application but claims priority to a provisional application, no. 60/162,651 (the "Foster Provisional"), that was filed prior to the present application. Thus, the Examiner can only rely on the disclosure of the Foster Provisional, and not the additional disclosure included in the issued Foster patent, in making the rejection under 103(a)/102(e). See M.P.E.P. § 706.02(f)(1). Accordingly, the only issue under this ground for rejection is whether Claims 36-39, 41, 42 and 66 are rendered obvious by the disclosure of the Foster Provisional. For the reasons set forth below, Appellant submits that they are not.

Claims 36-39

Claims 36-39 are being argued as a group. Claim 36 is independent, and Claims 37-39 depend from Claim 36.

The rejection of Claim 36 (and thus Claims 37-39) is improper because, among other reasons, the Foster Provisional does not teach or suggest the following limitations, in the context of the other limitations of the claim: "wherein the server system maintains a log of purchases made by the registered user from each of a plurality of merchant web sites, uses the log to generate an interests profile for the registered user, and disseminates the interests profile to the merchant web sites to allow the merchant web sites to provide personalized content to the registered user." The Current Office Action does not fully address these claim limitations.

In connection with this claim language, the Foster provisional does not disclose the existence of a "server system" that "maintains a log of purchases made by the registered user from each of a plurality of merchant web sites." (Although the Foster provisional mentions that a history of the consumer's CartFort purchases is maintained on the consumer's computer—see page 6, lines 5-8—nothing in the Foster provisional suggests that the consumer's computer acts as the "server system" set forth in the claim.) In addition, the Foster provisional contains no disclosure or suggestion of using such a log, as maintained by a server system or otherwise, to "generate an interests profile for the registered user." Finally, the Foster provisional contains no

disclosure or suggestion of a server system that disseminates such an interest profile to merchant web sites as claimed.

Because the Foster provisional does not teach or suggest all of the limitations of Claim 36, the rejection of Claim 36 (and thus dependent Claims 37-39) is improper. See M.P.E.P. § 2143.03 ("To establish *prima facie* obviousness of a claimed invention, all of the claim limitations must be taught or suggested by the prior art.").

<u>Claims 41, 42 and 66</u>

Claims 41, 42 and 66 are being argued as a group. Claim 41 is independent, and Claims 42 and 66 depend from Claim 41.

The rejection of independent Claim 41 (and thus Claims 42 and 66) is improper because, among other reasons, the Foster Provisional does not teach or suggest the following limitations in the context of the other limitations of the claim: "wherein the customer information of the registered user transmitted to the merchant web site system further includes an interests profile that reflects purchases made by the registered user from each of a plurality of online merchants, such that the merchant web site system may personalize web site content for the registered user." The Current Office Action does not fully address these limitations of the claim. Indeed, the Foster provisional contains no mention whatsoever of transmitting an interests profile of a user to a merchant web site system, let alone an interest profile "that reflects purchases made by the registered user from each of a plurality of online merchants" as claimed.

Because the Foster provisional does not teach or suggest all of the limitations of Claim 41, the rejection of Claim 41 (and thus Claims 42 and 66) is improper.

2. **Rejection of Claims 44, 45 and 67-69 under 35 U.S.C. § 103(a) over Boesch et al. in view of Lineman**

Claims 44, 45 and 67-69, of which Claims 44 and 67 are independent, stand rejected on obviousness grounds over Boesch et al. in view of Lineman. For the reasons set forth below, Appellant respectfully submits that the rejection of Claims 44, 45 and 67-69 is improper.

<div align="center">Independent Claim 44</div>

The rejection of independent Claim 44 is improper because, among other reasons, Boesch et al. and Lineman do not individually or collectively teach or suggest the following limitations of the claim:

> generating an interests profile that reflects said purchases made by the first user from the plurality of online merchants; and
> transmitting the interests profile of the first user to a web site system of at least one online merchant to allow the online merchant to provide personalized web site content to the first user.

In connection with these limitations, the Examiner appears to rely primarily on Boesch et al., which discloses a consumer information server (CIS) that disseminates payment information of consumers to online merchants. See current Office Action at paragraph 10, citing col. 2, line 21 to col. 4, line 54 of Boesch et al. Boesch et al. does not, however, teach or suggest the generation of an interests profile that reflects a user's purchases made from a plurality of online merchants. The brief disclosure at col. 2, lines 49-52, that the CIS software may generate a profile "based on the preferences chosen by the consumer or created by the CIS software based on the consumer's behavior...," does not suggest this feature. In this regard, nothing in Boesch et al. suggests that the "preferences" and "behavior" mentioned in this brief disclosure encompass "purchases made from a plurality of online merchants."

Moreover, nothing in Boesch et al. suggests that the profile generated by the CIS software is ever transmitted "to a web site system of at least one online merchant to allow the online merchant to provide personalized web site content" to the user. Rather, the profile is apparently generated so that "[t]he CIS software can tailor its communication with the consumer's computer ...." See Boesch et al. at col. 4, lines 47-50. Thus, to the extent Boesch et al. may contemplate using this profile to provide personalized content to the consumer, the personalized content

would be provided to the consumer by the consumer information server (CIS) 140 only, and not by the web site system 122 of the online merchant. As a result, an online merchant in Boesch et al.'s system apparently would not be able to provide to a user personalized content that reflects purchases made by the user from other online merchants.

Because Boesch et al., Foster and Lineman do not individually or collectively teach or suggest the above-quoted limitations of Claim 44, the rejection of Claims 44 is improper.

Appellant also respectfully submits that the rejection of Claim 44 is improper because the Examiner has not identified a suggestion or motivation in the prior art to combine Boesch et al. with Lineman. Although a reference need not expressly teach that the disclosure contained therein should be combined with another, the showing of combinability, in whatever form, must nevertheless be "clear and particular." In re Dembiczak, 175 F.3d 994, 999, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence' of motivation to combine. Id.

In connection with this issue, the Examiner merely states that it would have been obvious to combine the teachings of Boesch et al. and Lineman "in order to obtain greater security with greater ease for the user in the processing of online transactions." Current Office Action at ¶ 11. The Examiner does not, however, explain how she reaches this conclusion. In this regard, the Examiner does not identify any particular disclosure in Boesch et al. or Lineman to support this assertion. Thus, the Examiner has not met her burden of identifying a suggestion or motivation to combine the references at issue.

<u>Dependent Claim 45</u>

Claim 45 depends from Claim 44, and is therefore allowable over the asserted combination of Boesch et al. and Lineman for the reasons set forth above for Claim 44. In addition, the rejection of Claim 45 is improper because Boesch et al. and Lineman do not teach or suggest the limitations added by Claim 45, namely "wherein the interests profile is transmitted to the web site system in response to use by the first user of the electronic wallet service to make a purchase from the web site system." The current Office Action does not fully address these limitations.

Independent Claim 67

The rejection of independent Claim 67 is improper because, among other reasons, Boesch et al. and Lineman do not individually or collectively teach or suggest the following limitations, in the context of the other limitations of the claim:

> when a browser running on the computer of the user retrieves the web page from the web site and sends a resulting request for the graphic to the server, responding to the request by at least: (a) using the cookie transmitted with the request to identify the name of the user, (b) incorporating the name of the user into an instance of the object, and (c) returning the instance of the object to the user computer for display within the web page.

The Current Office Action does not address these claim limitations. For example, the Current Office Action does not explain how Boesch et al. and Lineman teach or suggest "incorporating the name of the user into an instance of the object."

The rejection of Claim 67 is also improper because, as explained above in connection with independent Claim 44, the Examiner has not identified a suggestion or motivation to combine the teachings of Boesch et al. and Lineman.

Dependent Claim 68

Claim 68 depends from Claim 67, and is therefore allowable over the asserted combination of Boesch et al. and Lineman for the reasons set forth above for Claim 67. In addition, the rejection of Claim 68 is improper because Boesch et al. and Lineman do not teach or suggest the limitations added by Claim 68, namely "wherein the instance of the object comprises a single-action purchase object that is adapted to be selected by the user to complete a purchase of an item represented within the web page." The current Office Action does not fully address these limitations.

Dependent Claim 69

Claim 69 depends from Claim 67, and is therefore allowable over the asserted combination of Boesch et al. and Lineman for the reasons set forth above for Claim 67. In addition, the rejection of Claim 69 is improper because Boesch et al. and Lineman do not teach or suggest the limitations added by Claim 69, namely "wherein the object is a graphic," in the context of the other claim limitations. The Current Office Action does not fully address these limitations.

3.   Rejection of Claims 46-52 and 60-64 under 35 U.S.C. § 103(a) over Katis

Claims 46-52 and 60-64, of which Claims 46 and 64 are independent, stand rejected on obviousness grounds over Katis. For the reasons set forth below, Appellant respectfully submits that the rejection of Claims 46-52 and 60-64 is improper.

<u>Independent Claim 46</u>

With respect to Claim 46, Katis does not teach or suggest the following steps in the context of the other claim limitations:

> providing, in a web page of the merchant web site and in conjunction with a description of a purchasable item, a reference to a graphic served by the information service server, such that when a browser running on the computer of the user retrieves the web page, the browser is caused to request the graphic from, and transmit the cookie to, the information service server; and
> at the information service server, in response to receiving the cookie and a request for the graphic from the computer of the user, returning to the computer of the user a single-action purchase graphic indicating that the item may be purchased with a single selection action, said single-action purchase graphic being selectable by the user to purchase the item.

The Examiner cites col. 1, lines 63-67 and col. 2, line 8 to col. 4, line 31 of Katis in connection with this claim. The Examiner does not, however, make any attempt to explain how these cited portions of Katis teach or suggest the forgoing claim limitiations. For example, it is not clear from the Current Office Action where in Katis the Examiner finds a teaching or suggestion of a "single-action purchase graphic."

Because the foregoing limitations are not disclosed or suggested by Katis, the rejection of Claim 46 is improper.

<u>Dependent Claim 47</u>

Claim 47 depends from Claim 46, and is therefore allowable over Katis for the reasons set forth above for Claim 46. In addition, the rejection of Claim 47 is improper because Katis does not teach or suggest the limitation added by Claim 47, namely "wherein the single-action purchase graphic includes a name of the user." The Current Office Action does not address this limitation.

Dependent Claim 48

Claim 48 depends from Claim 46, and is therefore allowable over Katis for the reasons set forth above for Claim 46. In addition, the rejection of Claim 48 is improper because Katis does not teach or suggest that "the single-action purchase graphic includes a field for the user to enter a password to be submitted to the information service server," as required by Claim 48. The Current Office Action does not fully address these limitations.

Dependent Claim 49

Claim 49 depends from Claim 46, and is therefore allowable over Katis for the reasons set forth above for Claim 46. In addition, the rejection of Claim 49 is improper because Katis does not teach or suggest that "the web page is encoded such that, when the user selects the single-action purchase graphic, a merchant identifier and an identifier of the item are transmitted from the computer of the user to the information service server." The Current Office Action does not fully address these limitations.

Dependent Claim 50

Claim 50 depends from Claim 46, and is therefore allowable over Katis for the reasons set forth above for Claim 46. In addition, the rejection of Claim 50 is improper because Katis does not teach or suggest the limitations added by Claim 50, namely "at the information service server, responding to user selection of the single-action purchase graphic by transmitting at least the name and payment information of the user to a computer of the merchant web site." The Current Office Action does not fully address these limitations.

Dependent Claim 51

Claim 51 depends from Claim 50, and is therefore allowable over Katis for the reasons set forth above for Claim 50. In addition, the rejection of Claim 51 is improper because Katis does not teach or suggest the limitations added by Claim 51, namely "at the information service server, responding to user selection of the single-action purchase graphic by transmitting shipping information of the user to the computer of the merchant web site." The Current Office Action does not fully address these limitations.

Dependent Claim 52

Claim 52 depends from Claim 46, and is therefore allowable over Katis for the reasons set forth above for Claim 46. In addition, the rejection of Claim 52 is improper because Katis

does not teach or suggest "at the information service server, responding to user selection of the single-action purchase graphic by charging the user for the item," as recited in Claim 52. The Current Office Action does not fully address these limitations.

Independent Claim 60

With respect to Claim 60, Katis does not teach or suggest the following in the context of the other limitations of the claim:

> providing, within coding of the web page, a reference to a graphic served by the server, such that when a browser retrieves the web page, the browser is caused to request the graphic from the server; and
>
> when a browser running on the computer of the user retrieves the web page from the web site and sends a resulting request for the graphic to the server, responding to the request by at least: (a) using the cookie transmitted with the request to identify the name of the user, (b) incorporating the name of the user into an image, and (c) returning the image to the user computer for display within the web page.

The current Office Action does not appear to address the foregoing limitations of Claim 60. Because these steps of the claimed method are not taught or suggested by Katis, the rejection of Claim 60 is improper.

Dependent Claim 61

Claim 61 depends from Claim 60, and is therefore allowable over Katis for the reasons set forth above for Claim 60. In addition, the rejection of Claim 61 is improper because Katis does not teach or suggest the limitations added by Claim 61, namely "wherein the image is a single-action purchase graphic that is adapted to be selected by the user to complete a purchase of an item represented within the web page." The Current Office Action does not fully address these limitations.

Dependent Claim 62

Claim 62 depends from Claim 60, and is therefore allowable over Katis for the reasons set forth above for Claim 60. In addition, the rejection of Claim 62 is improper because Katis does not teach or suggest that "the image includes a field for the user to enter a password to be submitted to the information service server system," as recited in Claim 62. The Current Office Action does not fully address these limitations.

<u>Dependent Claim 63</u>

Claim 63 depends from Claim 60, and is therefore allowable over Katis for the reasons set forth above for Claim 60. In addition, the rejection of Claim 63 is improper because Katis does not teach or suggest the limitations added by Claim 63, namely "at the server, responding to user selection of the image by transmitting at least the name and payment information of the user to the web site." The Current Office Action does not fully address these limitations.

<u>Dependent Claim 64</u>

Claim 64 depends from Claim 60, and is therefore allowable over Katis for the reasons set forth above for Claim 60. In addition, the rejection of Claim 64 is improper because Katis does not teach or suggest the following limitations of Claim 64: "at the server, responding to user selection of the image by charging the user for an item represented within the web page." The Current Office Action does not fully address these limitations.
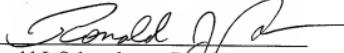
VIII. <u>CONCLUSION</u>

For the reasons set forth above, Appellant respectfully submits that the rejections of Claims 36-39, 41, 42, 44-52, 60-64 and 66-69 are improper, and requests that these rejections be reversed.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: _10 - 23 - 06_   By: _____

Ronald J. Schoenbaum, Reg. No. 38,297
Knobbe, Martens, Olson & Bear, LLP
2040 Main Street, 14th Floor
Irvine, CA 92614
949-721-2950

CLAIMS APPENDIX

1-35. (canceled)

36.   (rejected) A system for providing a server-side wallet service, the system comprising:

a service web site that provides functionality for users to register with the wallet service and to provide customer information and authentication information for use of the wallet service, said customer information including payment information for making purchases from merchant web sites that support customer use of the wallet service; and

a server system that authenticates registered users of the wallet service and disseminates the customer information of the registered users to the merchant web sites in response to user requests, the server system thereby allowing registered users of the wallet service to make purchases from the merchant web sites using previously-specified customer information;

wherein the server system is responsive to a request to transfer the customer information of a registered user to a selected merchant web site by at least (1) using the authentication information of the registered user to authenticate the registered user, and (2) if the registered user is successfully authenticated, sending customer information of the registered user to the selected merchant web site to permit the merchant web site to transact a sale to the registered user, whereby the system enables the registered user to make a purchase from the selected merchant web site without having a preexisting account with the selected merchant web site;

and wherein the server system maintains a log of purchases made by the registered user from each of a plurality of merchant web sites, uses the log to generate an interests profile for the registered user, and disseminates the interests profile to the merchant web sites to allow the merchant web sites to provide personalized content to the registered user.

37.   (rejected) The system as in Claim 36, wherein the customer information of the registered user includes shipping information of the registered user.

38.   (rejected) The system as in Claim 36, wherein the server system supports an ability for registered users to make single-action purchases from merchant web sites.

39.   (rejected) The system as in Claim 36, wherein the server system provides the registered user online access to the log.

40.   (canceled)

41.   (rejected) A method for facilitating online transactions between users and online merchants, the method comprising:

storing customer information for each of a plurality of registered users in a database, said customer information including payment information of registered users;

receiving a request that the customer information of a registered user be provided to a selected merchant web site system, said request generated in response to an action performed by the registered user while accessing the merchant web site system;

receiving authentication information submitted by the registered user;

verifying that the authentication information submitted by the registered user is valid; and

in response to determining that the authentication information submitted by the registered user is valid, transmitting customer information of the registered user to the selected merchant web site system to allow the registered user to make a purchase from the merchant web site system using previously specified information stored in the database;

whereby the registered user may make a purchase from the selected merchant web site system without having a preexisting account with the selected merchant web site system;

wherein the customer information of the registered user transmitted to the merchant web site system further includes an interests profile that reflects purchases made by the registered user from each of a plurality of online merchants, such that the merchant web site system may personalize web site content for the registered user.

42.   (rejected) The method of Claim 41, wherein the customer information of the registered user includes shipping information of the registered user.

43.   (canceled).

44.   (rejected) A method of supporting transactions between users and online merchants, the method comprising:

 providing an electronic wallet service that allows users to make purchases from online merchants using previously-specified payment information;

 maintaining a purchase history for at least a first user of the wallet service, said purchase history representing purchases made by the first user from a plurality of online merchants;

 generating an interests profile that reflects said purchases made by the first user from the plurality of online merchants; and

 transmitting the interests profile of the first user to a web site system of at least one online merchant to allow the online merchant to provide personalized web site content to the first user.

45.   (rejected) The method of Claim 44, wherein the interests profile is transmitted to the web site system in response to use by the first user of the electronic wallet service to make a purchase from the web site system.

46.   (rejected) A method of enabling a user to make a purchase from a merchant web site with which the user has not set up an account, the method comprising:

 registering the user with an information service, wherein registering the user comprises obtaining a name of the user and payment information of the user, and storing the name and payment information on an information service server, wherein the information service server belongs to a domain other than a domain of the merchant web site;

 storing a cookie on a computer of the user, wherein the cookie corresponds to a domain of the information service server;

 providing, in a web page of the merchant web site and in conjunction with a description of a purchasable item, a reference to a graphic served by the information service server, such that when a browser running on the computer of the user retrieves the web page, the browser is caused to request the graphic from, and transmit the cookie to, the information service server; and

at the information service server, in response to receiving the cookie and a request for the graphic from the computer of the user, returning to the computer of the user a single-action purchase graphic indicating that the item may be purchased with a single selection action, said single-action purchase graphic being selectable by the user to purchase the item.

47.   (rejected) The method of Claim 46, wherein the single-action purchase graphic includes a name of the user.

48.   (rejected) The method of Claim 46, wherein the single-action purchase graphic includes a field for the user to enter a password to be submitted to the information service server.

49.   (rejected) The method of Claim 46, wherein the web page is encoded such that, when the user selects the single-action purchase graphic, a merchant identifier and an identifier of the item are transmitted from the computer of the user to the information service server.

50.   (rejected) The method of Claim 46, further comprising, at the information service server, responding to user selection of the single-action purchase graphic by transmitting at least the name and payment information of the user to a computer of the merchant web site.

51.   (rejected) The method of Claim 50, further comprising, at the information service server, responding to user selection of the single-action purchase graphic by transmitting shipping information of the user to the computer of the merchant web site.

52.   (rejected) The method of Claim 46, further comprising, at the information service server, responding to user selection of the single-action purchase graphic by charging the user for the item.

53-59. (canceled)

60.   (rejected) A method of personalizing a web page of a web site, the method comprising:

sending a cookie to a computer of a user for storage thereon, wherein the cookie corresponds to a domain of a server that has access to at least a name of the user, said domain being different from a domain of the web site so that the cookie is not transmitted to the web site;

providing, within coding of the web page, a reference to a graphic served by the server, such that when a browser retrieves the web page, the browser is caused to request the graphic from the server; and

when a browser running on the computer of the user retrieves the web page from the web site and sends a resulting request for the graphic to the server, responding to the request by at least: (a) using the cookie transmitted with the request to identify the name of the user, (b) incorporating the name of the user into an image, and (c) returning the image to the user computer for display within the web page.

61.   (rejected) The method of Claim 60, wherein the image is a single-action purchase graphic that is adapted to be selected by the user to complete a purchase of an item represented within the web page.

62.   (rejected) The method of Claim 60, wherein the image includes a field for the user to enter a password to be submitted to the information service server system.

63.   (rejected) The method of Claim 60, further comprising, at the server, responding to user selection of the image by transmitting at least the name and payment information of the user to the web site.

64.   (rejected) The method of Claim 60, further comprising, at the server, responding to user selection of the image by charging the user for an item represented within the web page.

65.   (canceled)

66.   (rejected) The system of Claim 36, wherein the log includes information about transfers of the customer information of the registered user to specific merchant web sites.

67.   (rejected) A method of personalizing a web page of a web site, the method comprising:

sending a cookie to a computer of a user for storage thereon, wherein the cookie corresponds to a domain of a server that has access to at least a name of the user, said domain being different from a domain of the web site so that the cookie is not transmitted to the web site, and wherein the web page includes a reference to an object served by the server, such that when a browser retrieves the web page, the browser is caused to request the object from the server; and

when a browser running on the computer of the user retrieves the web page from

the web site and sends a resulting request for the graphic to the server, responding to the

request by at least: (a) using the cookie transmitted with the request to identify the name

of the user, (b) incorporating the name of the user into an instance of the object, and (c)

returning the instance of the object to the user computer for display within the web page.

68.   (rejected) The method of Claim 67, wherein the instance of the object comprises a

single-action purchase object that is adapted to be selected by the user to complete a purchase of

an item represented within the web page.

69.   (rejected) The method of Claim 67, wherein the object is a graphic.

EVIDENCE APPENDIX

None

RELATED PROCEEDINGS APPENDIX

None